

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

NATIONAL ELECTRICAL BENEFIT FUND,
by its TRUSTEES, JON F. WALTERS and
D.R. BORDEN, JR.,

Plaintiffs

vs.

C.A. No. 05-10969 NMG

UPPER CAPE ELECTRICAL, INC.,
Defendant

and

CAPE COD BANK & TRUST COMPANY,
Trustee

VERIFIED REQUEST TO ENTER DEFAULT

Plaintiffs National Electrical Benefit Fund, by its Trustees, et al, request the Clerk to enter the default of Upper Cape Electrical, Inc. (hereinafter "Upper Cape"). This request is made pursuant to Rule 55(a), Fed.R.Civ.P. In support of this request, the Plaintiffs say:

- 1) This action was filed on May 10, 2005.
- 2) The Complaint was served on defendant Upper Cape on September 12, 2005.
- 3) Upper Cape has never filed an Answer or a responsive pleading to the Complaint.

WHEREFORE, Plaintiffs seek the entry of Default in this matter.

Respectfully submitted,

NATIONAL ELECTRICAL BENEFIT
FUND, by its TRUSTEES, JON F.
WALTERS and D.R. BORDEN, JR.,

By their attorneys,

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire
BBO #655207
Mary T. Sullivan, Esquire
BBO #487130
Segal, Roitman & Coleman
11 Beacon Street
Suite #500
Boston, MA 02108
(617) 742-0208

Dated: December 22, 2005

VERIFICATION

I, Gregory A. Geiman, verify that I have read this Verified Request to Enter Default and that the facts set out in the Request are true to the best of my knowledge and belief.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire

CERTIFICATE OF SERVICE

This is to certify that a copy of the above Verified Request to Enter Default has been served by first class mail upon defendant Upper Cape Electrical, Inc. by its attorney Michael Burke at 116 Long Pond Road, Suite #9, Plymouth, MA 02360 this 22nd day of December, 2005.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire